

US BANK NATIONAL ASSOCIATION,)	
)	
Plaintiff,)	
vs.)	Case No.: 2:16-cv-00866-GMN-PAL
)	
BDJ INVESTMENTS, LLC, <i>et al.</i> ,)	ORDER
)	
Defendants.)	
)	

The Ninth Circuit recognizes that “federal district courts have inherent power to require plaintiffs to post security for costs.” *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). Under Nevada law, “[w]hen a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant.” NRS § 18.130(1). “After the lapse of 30 days from the service of notice that security is required . . . upon proof thereof, and that no undertaking as required has been filed, the

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1 court or judge may order the action to be dismissed.” NRS § 18.130(4). It is the policy of
2 the United States District Court for the District of Nevada to enforce the requirements of
3 NRS § 18.130 in diversity actions. *See, e.g., Feagins v. Trump Org.*, No. 2:11-cv-01121-
4 GMN, 2012 WL 925027, at *1 (D. Nev. Mar. 19, 2012).

5 Because Plaintiff resides outside of Nevada, (Compl. ¶ 1, ECF No. 1), the Court
6 finds that it is appropriate to require Plaintiff to post a security bond of \$500.00 in this
7 matter pursuant to NRS § 18.130.


8 **IV. CONCLUSION**

9 **IT IS HEREBY ORDERED** that the Motion Demanding Security of Costs (ECF
10 No. 18) is **GRANTED**.

11 **IT IS FURTHER ORDERED** that Plaintiff must submit a bond pursuant to this
12 Order in the amount of \$500.00 as to Defendant. Failure to do so within thirty days of
13 the filing date of this Order shall constitute grounds for dismissal.

14 **IT IS FURTHER ORDERED** that the Motion for Extension of Time (ECF No.
15 25) is **DENIED as moot**.

16 **DATED** this 28 day of June 2016.

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20 Gloria M. Navarro, Chief Judge
United States District Judge
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